

281—41.404(256B) Policies and procedures required of all public agencies.

41.404(1) Policies. Policies related to the provision of special education and related services shall be developed by each public agency and made available to the department upon request to include the following:

- a. Policy to ensure the provision of a free appropriate public education.
- b. Policy for the provision of special education and related services.
- c. Policies to ensure the provision of special education and related services in the least restrictive environment.
- d. Policy concerning the protection of confidentiality of personally identifiable information.
- e. Policy concerning graduation requirements for eligible individuals.
- f. Policy concerning administration of medications including a written medication administration record.
- g. Policy for the provision of special health services.
- h. Policy to ensure the participation of eligible individuals in districtwide assessment programs.

41.404(2) Procedures. Each public agency shall develop written procedures concerning the provision of special education and related services and shall make such procedures available to the department upon request and shall, at a minimum, include:

- a. Procedures to ensure the provision of special education and related services.
- b. Procedures for protecting the confidentiality of personally identifiable information.
- c. Procedures for the graduation of eligible individuals.
- d. Procedures for administration of medications including a written medication administration record.
- e. Procedures for providing special health services.
- f. Procedures for providing continuing education opportunities.
- g. A procedure for its continued participation in the development of the eligible individual's IEP in out-of-state placements and shall outline a program to prepare for the eligible individual's transition back to the LEA before the eligible individual is placed out of state.
- h. Procedures for ensuring procedural safeguards for children with disabilities and their parents.
- i. Procedures to ensure the participation of eligible individuals in districtwide assessment programs.

41.404(3) Medication administration. Each agency shall establish medication administration policy and procedures, which include the following:

- a. A statement on administration of prescription and nonprescription medication.
- b. A statement on an individual health plan when administration requires ongoing professional health judgment.
- c. A statement that persons administering medication shall include authorized practitioners, such as licensed registered nurses and physicians, and persons to whom authorized practitioners have delegated the administration of prescription drugs (who shall have successfully completed a medication administration course). Individuals who have demonstrated competency in administering their own medications may self-administer their medication. Individuals shall self-administer asthma or other airway constricting disease medication with parent and physician consent on file, without the necessity of demonstrating competency to self-administer these medications.
- d. Provision for a medication administration course and periodic update. A registered nurse or licensed pharmacist shall conduct the course. A record of course completion shall be maintained by the school.
- e. A requirement that the individual's parent provide a signed and dated written statement requesting medication administration at school.
- f. A statement that medication shall be in the original labeled container either as dispensed or in the manufacturer's container.
- g. A written medication administration record shall be on file at the school and shall include:
 - (1) Date.
 - (2) Individual's name.

- (3) Prescriber or person authorizing administration.
- (4) Medication.
- (5) Medication dosage.
- (6) Administration time.
- (7) Administration method.
- (8) Signature and title of the person administering medication.
- (9) Any unusual circumstances, actions or omissions.

h. A statement that medication shall be stored in a secured area unless an alternate provision is documented.

i. A requirement for a written statement by the individual's parent or guardian requesting the individual's coadministration of medication, when competency is demonstrated.

j. A requirement for emergency protocols for medication-related reactions.

k. A statement regarding confidentiality of information.

41.404(4) *Rule of construction.* Any public agency is required to adopt any policy and procedure necessary to comply with Part B of the Act and this chapter, even if such a policy or procedure is not listed in this rule.